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DEPARTMENT FOR SCA/INS

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SUBJECT: BHARAT BALLOT 09: BJP ABOUT FACE ON NUCLEAR DEAL?

REF: BHARAT BALLOT 09 SERIES

Classified By: D/Political Counselor Les Viguerie Reasons 1.4 (B, D)

¶1. (C) Summary: In an interview with the Hindustan Times newspaper, Bharatiya Janata Party (BJP) leader L.K. Advani appears to have walked back some of his party's opposition to the U.S.-India civil nuclear deal. Instead of finding knee-jerk fault with the deal, he carefully pointed out the difficulty of abrogating international agreements. He said the party, if it returns to power, will examine its position on the basis of additional information that will become available to it. Advani reiterated his party's support for stronger ties with the United States. Although his remarks on the civil nuclear deal are far from an unambiguous endorsement, they appear to set the stage for the party to accept the nuclear deal if it returns to power. This is something that most political pundits (and many in the BJP) expect the party to readily do because it was the originator and the "father" of the deal to begin with, and would have accepted far less during its regime. The face-saving excuse that Advani appears to be testing is that a BJP government's hands would be tied due to legal obligations under an international agreement. Advani's comments on the deal, coming during a heated election campaign, could also reflect a growing recognition on the part of BJP leaders while on the campaign trail that the civil nuclear deal and the U.S.-India relationship are popular among the BJP's traditional constituencies in the urban middle classes. End Summary

¶2. (U) In an exclusive interview with Hindustan Times journalist Shekhar Iyer, Bharatiya Janata Party prime ministerial candidate L.K. Advani was quoted as saying that since the U.S.-India civil nuclear deal is an international agreement, he could not commit to abrogating the deal if the BJP came to power after the parliamentary election. Portraying it as a major shift in the BJP's position on the civ-nuke deal, the newspaper carried Advani's comments -- with the headlines "If voted to power, BJP will honor nuke deal" -- as the lead story in the April 21 edition of the newspaper. Advani made those comments as part of a broader interview that focused on the elections. The rest of the interview was carried in the inside pages of the newspaper.

13. (U) The headlines do not accurately capture what Advani said to the journalist. When asked whether the BJP would abrogate the civil nuclear agreement, Advani said:

-- "We realize it is not easy to do so. After all, it is an international agreement. We will have to look into all aspects."

-- "Once we are in government, we will obviously get to know more about the deal and decide accordingly on the basis of all available facts. We are definitely against India being subjected to a discriminatory non-proliferation regime."

-- "We will never compromise on our country's interests. But I cannot say today we will cancel the deal."

14. (U) Lest the party's opposition during the public debate that lead to the July 22 confidence vote be seen as a weakness on nuclear issues, Advani sought to reinforce the BJP's credentials on India's nuclear program by saying: "One must remember that it was the BJP (as the Jan Sangh) that was the first to demand that India must have a nuclear deterrent way back in 1964 after China exploded a device." He drew attention to the highly popular 1998 Pokhran II nuclear test: "We took office on March 19 of that year and we conducted Pokhran II on May 11 - in 39 days."

15. (SBU) Advani also used the opportunity to signal that the BJP's waffling and fine parsing on the civil nuclear deal should not reflect adversely on U.S.-India ties in a BJP-led

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administration. He said the BJP always supported strong relations with the United States and "the six years we were in office are a testimony to the closeness that developed between the two countries."

16. (SBU) BJP Spokesman Prakash Javdekar played down the significance of the Advani comments. He told Poloff "it is a well known fact that international agreements reached between two governments could not be over turned or set aside at the drop of a hat." He said that the BJP had always maintained that it was uncomfortable with certain provisions of the deal and not the deal in its entirety. In his view, all that Advani said was that once the BJP comes to power, it will have access to all the relevant information on the deal and will be in a better position to understand it completely. He continued that if there were any provisions that were grossly unjust to Indian interests, then the government would seek to get them modified. He refused to go into details on why the turn around had happened and said that the media had taken only this question and highlighted it whereas the entire interview was much longer and covered a lot of other issues.

17. (SBU) Nalin Kohli, Convenor of BJP's Media Cell, was more candid and forthright. He told Poloff that the internal debate over the party's stand on the nuclear deal last year had caused "a lot of consternation within the BJP." There were many who thought the BJP had lost ground with the urban youth due to its stand on the nuclear deal. He saw Advani's comments as a "course correction" and a reflection of the dominant view within the party: "there was never any doubt within the party that once the BJP came to power, they would seek to rebuild the close relations with the U.S. and the nuke deal would not be scrapped."

18. (C) Comment: Although Advani's latest remarks on the civil nuclear deal are far from the unambiguous endorsement of the civil nuclear deal that the Hindustan Times headlines painted them out to be, what he said represents a walk back from the antagonistic position the BJP had taken during the months-long public debate in India over the deal. Missing were the declaratory statements finding fault with the deal that Advani and other BJP leaders had previously used: we would not like India to be a party to an agreement which is

"unequal"; the deal makes India a "subservient" partner to the United States; we will "renegotiate" the deal; and will seek a constitutional amendment so that no international agreement can occur without the concurrence of parliament. There were no reference to the deal impinging on India's right to test or the need to insulate India from the penalties of the Hyde Act.

19. (C) Comment (continued): Instead, Advani's remarks appear to set the stage for the party, if it returns to power, to formally accept the nuclear deal, something many BJP'ers (privately) and most pundits have said the party would do in a heartbeat if it could find a face-saving way to do so. The face-saver that Advani may be testing is that a BJP government's hands would be tied due to legal obligations under an international agreement. There will be some resistance from hardliners such as Arun Shourie, who genuinely believe that that the agreement hamstring's India's strategic options, as well as opportunists such as Yashwant Sinha, who misread politics and painted themselves into a corner with their overly aggressive public opposition to the deal. But, such opponents of the deal within the BJP tend to be ones without independent political bases and could be overridden by the party leaders who have political followings. These politicians may be sensing while on the campaign trail that the civil nuclear deal and the U.S.-India relationship are popular among the BJP's traditional constituencies in the urban middle classes.

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